#### 2003 DRAFTING REQUEST

Bill

Received: 12/10/2002		Received By: mlief
<i>*</i>	•	J - ***********************************

Wanted: As time permits Identical to LRB.

For: Pedro Colon (608) 267-7669 By/Representing: andy janssen

This file may be shown to any legislator: **NO**Drafter: **mlief** 

May Contact: Addl. Drafters:

Subject: Higher Education - UW System Extra Copies: PG

Submit via email: YES

Requester's email: Rep.Colon@legis.state.wi.us

Carbon copy (CC:) to:

No specific pre topic given

Topic:

Allowing undocumented aliens to pay resident tuition

Instructions:

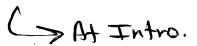
See Attached

Pre Topic:

**Drafting History:** 

Vers.	<u>Drafted</u>	Reviewed	<u>Typed</u>	Proofed	Submitted	<u>Jacketed</u>	Required
/?							State
/1	mlief 12/11/2002	kgilfoy 12/13/2002	jfrantze 12/16/2002	2	sbasford 12/16/2002	lemery 01/29/2003	

FE Sent For:



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Allowing	g undocumente	d aliens to pay	resident tuit	tion				
Instruct	tions:	<u> </u>						
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FE Sent For:

Po12/16

<END>

December 9, 2002

TO:

Lonnie Lief

FROM:

Andy Janssen - Office of Representative Pedro Colón

RE:

Bill Drafting request

Please draft a bill to allow undocumented students who qualify for the University of Wisconsin System to receive the in-state tuition rate.

The bill should include be written to say the individual:

1. graduated from a public or private high school in Wisconsin or received the equivalent of a high school diploma in this state;

2. was continuously present in this state for at least one year between the first day the individual attended a public or private high school in this state and the date the person graduated from a public or private high school in this state or received the equivalent of a high school diploma;

3. the individual will file and affidavit with the University System stating that the student has filed an application to legalize his or her immigration status, or will file and application as soon as he or she is eligible to do so.

In addition could you draft a second bill that contains the above provision but also will allow these same students the ability to access the guaranteed student loan programs?

Please call if you have questions.

Thanks.

me end of Jan

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### State of Misconsin 2003 - 2004 LEGISLATURE

LRB-1096/1 MJL:1:.... \ MO

#### 2003 BILL

Junis To editor

(D-N)

AN ACT ...; relating to: allowing aliens who are not legal permanent residents

of the United States to pay resident tuition.

#### Analysis by the Legislative Reference Bureau

Generally, current law allows a University of Wisconsin (UW) System student who has been a bona fide Wisconsin resident for the 12 months preceding the beginning of a semester or session for which the student registers to pay resident, as opposed to nonresident, tuition.

This bill allows an alien who is not legal permanent resident of the United States to pay resident, as opposed to nonresident, tuition if: (1) he or she graduated from a Wisconsin high school or received a high school graduation equivalency from Wisconsin; (2) was continuously present in Wisconsin for at least one year following the first day of attending a Wisconsin high school; and (3) enrolls in UW System institution and provides the institution with an affidavit stating that he or she had followed or will file an application for permanent residency with the Immigration and Naturalization Service as soon as the person is eligible to do so.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

INSERT 1-1

3

1

 $\mathbf{2}$ 

(END)

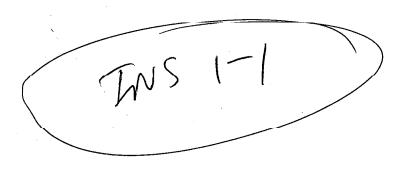
#### **2001 - 2002 LEGISLATURE**

LRBb0726/2 MJI.:hmh&/ld:pg

SDC:.....Keckhaver - CN2713, Aliens and resident tuition eligibility

FOR 2001-03 BUDGET NOT READY FOR INTRODUCTION

# CAUCUS SENATE AMENDMENT TO SENATE SUBSTITUTE AMENDMENT 1, TO 2001 SENATE BILL 55



At the locations indicated, amend the substitute amendment as follows:

2 Page 519, line 5: after that line insert:

3 SECTION 1860. 36.27 (2) (cr) of the statutes is created to read:

36.27 (2) (cr) A person who is a citizen of a country other than the United States is entitled to the exemption under par. (a) if that person meets all of the following

6 requirements:

4

5

7

8

1. The person graduated from a high school in this state or received a high school graduation equivalency from this state.

person resided in this state for at least 8-y high school-graduation equivalency from this 3 state. 3. The person enrolls in an institution and provides that institution with an 4 chas filed or (5)

affidavit stating that the person will file an application for a permanent resident visa with the Immigration and Naturalization Service as soon as the person is eligible to do so.

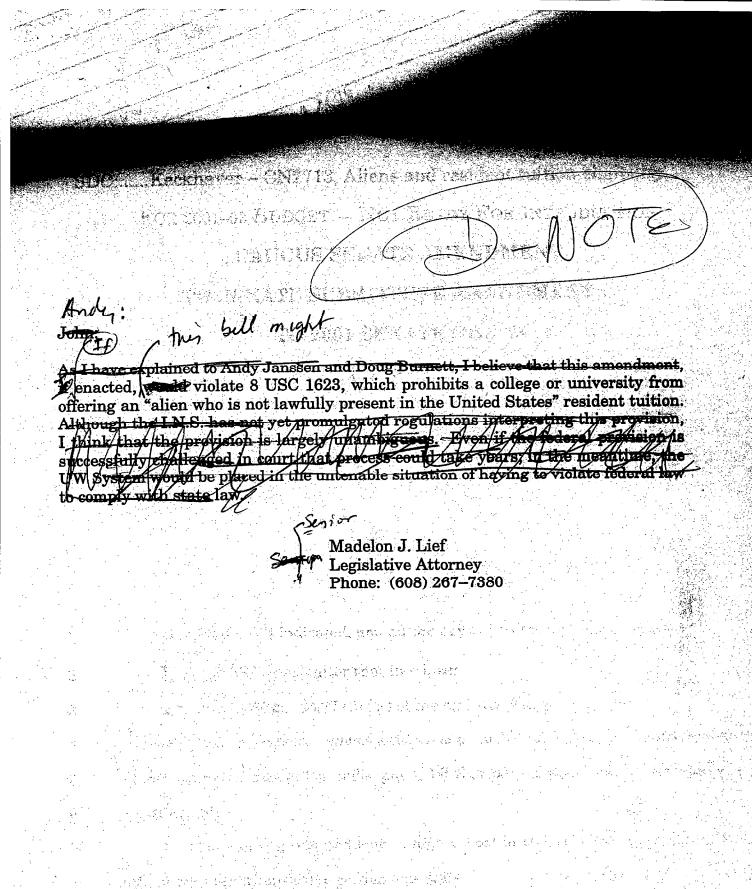
Initial applicability: Their act forget

applies to persons who enroll for the

semester or

sensin following the effective date of

these subsection.



## DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-1096/1dn MJL:kmg:jf

December 16, 2002

Andy:

If enacted, this bill might violate 8 USC 1623, which prohibits a college or university from offering an "alien who is not lawfully present in the United States" resident tuition.

Madelon J. Lief Senior Legislative Attorney Phone: (608) 267–7380